



General Assembly

February Session, 2006

Amendment

LCO No. 4350

SB0033504350SD0

Offered by:

SEN. HARTLEY, 15th Dist.

To: Subst. Senate Bill No. 335

File No. 266

Cal. No. 209

"AN ACT CONCERNING PRIVATE OCCUPATIONAL SCHOOLS."

1 Strike section 1 in its entirety and substitute the following in lieu
2 thereof:

3 "Section 1. Section 10a-22a of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2006*):

5 [Whenever] As used in sections 10a-22a to 10a-22k, inclusive, as
6 amended by this act, and sections 12 to 16, inclusive, of this act:

7 (1) "Additional classroom site" means a facility that (A) is
8 geographically located close to the school or branch that oversees the
9 site, such that students must utilize services provided at such school or
10 branch, (B) conducts permanent or temporary educational activities,
11 and (C) offers courses or full programs of study;

12 (2) "Private occupational school" means a person, board, association,
13 partnership, corporation, limited liability company or other entity
14 offering instruction in any form or manner in any trade, industrial,

15 commercial, [or] service, professional or other occupation for any
16 remuneration, consideration, reward or promise of whatever nature,
17 except "private occupational school" shall not include [(1)] (A)
18 instruction offered under public supervision and control; [(2)] (B)
19 instruction conducted by a firm or organization solely for the training
20 of its own employees or members; or [(3)] (C) instruction offered by a
21 school authorized by the General Assembly to confer degrees;

22 (3) "Board of Governors" means the Board of Governors for Higher
23 Education;

24 (4) "Branch" means a subdivision of a school (A) located at a
25 different facility and geographical site from the school, except for a site
26 that is an additional classroom site as determined by the
27 commissioner, or the commissioner's designee, and (B) that (i) offers
28 one or more complete programs leading to a diploma or certificate; (ii)
29 operates under the school's certificate of operation; (iii) meets the same
30 conditions of authorization as the school; and (iv) exercises
31 administrative control and is responsible for its own academic affairs;
32 and

33 (5) "Commissioner" means the Commissioner of Higher Education."

34 In line 70, before the closing bracket insert "ninety"

35 In line 71, strike "ninety" and substitute "one hundred twenty" in
36 lieu thereof

37 In line 87, strike the opening bracket

38 In line 94, strike the closing bracket

39 In line 163, after "school" insert "that has previously closed"

40 In line 277, after "school's" insert "additional classroom sites or"

41 In line 279, strike "sixty" and substitute "thirty" in lieu thereof

42 In line 286, strike "sixtieth" and substitute "thirtieth" in lieu thereof

43 and strike "receipt" and substitute "the proposed implementation date
44 of the intended revision" in lieu thereof

45 In line 287, strike "of the request"

46 Strike section 7 in its entirety and substitute the following in lieu
47 thereof:

48 "Sec. 7. Section 10a-22g of the general statutes is repealed and the
49 following is substituted in lieu thereof (*Effective October 1, 2006*):

50 (a) A private occupational school which is authorized by the
51 [Commissioner of Higher Education] commissioner pursuant to
52 sections 10a-22a to 10a-22k, inclusive, as amended by this act, and
53 sections 12 to 16, inclusive, of this act, and sections 10a-22u to 10a-22w,
54 inclusive, as amended by this act, may request authorization to
55 establish and operate [extension] additional classroom sites or branch
56 schools for the purpose of offering the occupational instruction
57 authorized by the commissioner, provided the additional classroom
58 site or branch school complies with the provisions of subsection (b) of
59 this section. Such school shall make such request for authorization to
60 operate an additional classroom site or branch school, in the manner
61 and on such forms as prescribed by the commissioner, at least thirty
62 days prior to the proposed establishment of such additional classroom
63 site or branch school.

64 (b) [(1) the] The buildings and premises for such [extension or
65 branch operation] additional classroom site or branch school shall
66 meet all applicable state and local fire and zoning requirements, and
67 certificates attesting the same signed by the local fire marshal and
68 zoning enforcement officer [are] shall be filed with the [Commissioner
69 of Higher Education] commissioner prior to offering such occupational
70 instruction; [(2) notice of the extension or branch operation and the
71 course or program of instruction to be offered are filed with the
72 Commissioner of Higher Education not less than thirty days prior to
73 offering such occupational instruction; (3) there is] The additional
74 classroom site or branch school shall be in compliance with the

75 relevant requirements set forth in subsection [(e)] (f) of section 10a-22b,
76 as amended by this act. [; and (4) a] A nonrefundable fee in the amount
77 of [one] two hundred dollars [is] for each branch school shall be paid
78 annually [to the Department of Higher Education] into the private
79 occupational school student protection account.

80 [(b)] (c) The commissioner, or the commissioner's designee, not later
81 than thirty days after receipt of a request to approve the establishment
82 of a branch school, may issue an order prohibiting any such [change]
83 establishment of a branch school if it would constitute a material or
84 substantial deviation from the conditions of authorization or if the
85 private occupational school fails to meet the requirements set forth in
86 subsection (b) of this section. [In the event of such an order, the school
87 may request in writing of the Board of Governors of Higher Education
88 a hearing pursuant to chapter 54.]

89 (d) If the commissioner, or the commissioner's designee, fails to take
90 action upon the request for revision by the thirtieth day after the
91 proposed date for establishment of such additional classroom site or
92 branch school, such request shall be deemed approved."

93 In line 459, strike "a" and substitute "an additional classroom site or"
94 in lieu thereof

95 In line 503, after "records" insert "or other indicators of student
96 progress"